

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 437 OF 2004

IN

SUM. SUIT NO. 1218 OF 2004

Pankaj M. Patel . . . Plaintiff.

VS.

Deluxe Plastics & Anr. . . Defendants.

Mr. K.H. Halai for plaintiff.

Mr. A.N. Singh i/by K.B. Ganesh & Co.

for defendants.

CORAM : S.U. KAMDAR, J.

DATE : 19th SEPTEMBER, 2005.

P.C.:

. The suit is based on a promissory note dated 10.4.2003 for a sum of Rs. 1 lac and interest thereon. The only defence raised is that the defendant has not received the money under the said promissory note. There is a presumption of consideration in respect of a negotiable instrument. Thus, there is no defence in the present suit. Summons for judgment is made absolute. Suit decreed as prayed.

2. Both, the suit as well as the summons for judgment disposed of. No order as to costs.